

AUG. 24. 2006 3:46PM
TO:USPTO. CENTRAL. FAX

RMS Patent Department

NO. 104 P. 1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

V. Bodepudi, et al.

SERIAL NO.: 10/719,257

FILED: November 21, 2003

FOR: DETECTABLE LABELED
NUCLEOSIDE ANALOGS AND
METHODS OF USE THEREOF

)

) EXAMINER: J. Riley

) ART UNIT: 1637

) CONFIRMATION NO: 2800

) Docket No. 21320-US1

)

RECEIVED
CENTRAL FAX CENTER

AUG 24 2006

Certificate of Mailing Via Facsimile

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450


PAGES 3

Sir:

Facsimile No. 571-273-8300

Date August 24, 2006

I hereby certify that the attached Response Under 35 USC 121 is being transmitted via facsimile to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

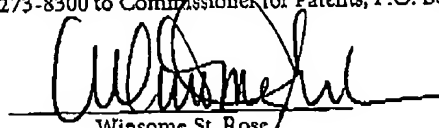

Winsome A. St Rose

Roche Molecular Systems
1145 Atlantic Avenue
Alameda, California 94501
Tele: (510) 814-2972
Fax: (510) 814-2973

CERTIFICATE OF MAILING (37 CFR 1.8a)

I hereby certify that these papers (along with any paper referred to as being transmitted therewith) are being transmitted via facsimile (571) 273-8300 to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

8/24/06
Date


Winsome St. Rose

RECEIVED
CENTRAL FAX CENTER

AUG 24 2006

DOCKET NO. 21320-US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:)
V. Bodepudi, et al.) EXAMINER: J. Riley
SERIAL NO.: 10/719,257) ART UNIT: 1637
FILED: November 21, 2003)
FOR: DETECTABLE LABELED NUCLEOSIDE ANALOGS AND METHODS OF USE THEREOF) CONFIRMATION NO: 2800
)

RESPONSE UNDER 35 U.S.C. 121

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

Responsive to the Restriction Requirement mailed June 21, 2006, Applicants elect for further prosecution, without traverse, the invention of Group II, claims 35-47, 79 and 80, drawn to an oligonucleotide comprising a label. Applicants hereby reserve the right to prosecute the invention of Groups I and III-VII in separate divisional or continuation applications.

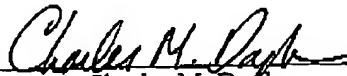
Atty Docket: 21320-US
Serial No. 10/719,257
Response to Restriction Requirement
Page 2 of 2

Applicants hereby request a two-month extension of time for responding to the Office Action. The Commissioner is hereby authorized to charge the extension of time fee under 37 CFR 1.17 to Account No. 50-0812. The Commissioner is further authorized to charge any further fee deficiency, or credit any overpayment, to Deposit Account No. 50-0812.

Respectfully submitted,

Date: July 26, 2006

By: _____



Charles M. Doffle
Reg. No. 39,175

Correspondence Address

Roche Molecular Systems, Inc.
1145 Atlantic Avenue
Alameda, California 94501
Tele: 510-814-2800
Fax: 510-814-2973